

Message

From: Borries, Samuel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=399D8FCC81224C52B9BAE279E0A02871-SBORRIES]
Sent: 5/8/2019 7:00:32 PM
To: Ribordy, Michael [ribordy.mike@epa.gov]
Subject: FW: Recap Meeting with Regional Administrator Stepp and Southeast Side Community Representatives

FYI

Sam Borries
Chief, Emergency Response Branch 2
USEPA Region 5, Superfund Division
Office: 312-353-8360
Mobile: 312-802-5336

From: Walts, Alan
Sent: Wednesday, May 8, 2019 1:59 PM
To: Borries, Samuel <borries.samuel@epa.gov>
Subject: FW: Recap Meeting with Regional Administrator Stepp and Southeast Side Community Representatives

Hi Sam – saw that Tom is out for a while and wanted to loop you in. Hope below captures your input accurately, please let me know if not.

Director, Multimedia Programs Office
U.S. EPA, Region 5
Phone: (312) 353-8894

From: Walts, Alan
Sent: Wednesday, May 08, 2019 1:54 PM
To: Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Girard, Alexander <girard.alexander@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Short, Thomas <short.thomas@epa.gov>; Breneman, Sara <breneman.sara@epa.gov>
Subject: RE: Recap Meeting with Regional Administrator Stepp and Southeast Side Community Representatives

Kurt – the following reflects input from SFD and ECAD, summarized for sharing with the community representatives. I am happy to send the reply after it's vetted. Let me know if you want to discuss.

Thanks for this recap Debbie. Following are some notes in reply. For the Supplemental Environmental Projects, we have provided more detail to recognize the multiple ideas that were discussed, and to clearly reflect the requirements of EPA's SEP policy. For S.H. Bell, it seems we walked away with different understandings of how our Removal Management Level (RML) guidance would be applied. While we did recognize that guidance is flexible and can be departed from in appropriate circumstances, we did not agree to apply a health-based standard across the board in lieu of the RML. This point may need further discussion so we can reach a shared understanding of when EPA might deviate from this guidance; and of the differences in scope of work between our removal and remedial programs.

In addition, I would like to arrange a site visit for Cathy – please let me know some possible dates over the coming month or two and I'll work to get that scheduled.

On item #3, Supplemental Environmental Projects:

1. The EJ program will work with community leaders to collect potential SEP ideas that will be a useful resource for our compliance assurance programs.
2. The EJ program can help to facilitate general community/facility dialogue (including general education on the SEP policy) outside the context of any pending enforcement action.
3. Where there are active enforcement cases that present potential SEP opportunities, Region 5 compliance assurance programs will consider SEP ideas from community members; will “encourage defendants to seek community input as early in the SEP development process as possible”; and will seek additional community input on SEPs for those particular cases. (As stated in EPA’s 2015 SEP policy, attached.)
4. These commitments are made in the context of the requirements and limitations laid out in EPA’s SEP policy – see especially pages 18-19 for the factors EPA will consider, and for the constraints involved when there are ongoing settlement negotiations.

On item #5, for S.H. Bell:

1. EPA will evaluate the opportunity to undertake removal actions at properties with levels of manganese that exceed 5,500 ppm. As we discussed during the April 16th meeting, this is the level identified in EPA guidance. While we recognize (as also discussed) that this guidance can be deviated from in particular cases, we did not commit to use a health-based standard in the place of this RML. We propose further discussion on this point as needed to make sure we have a clear mutual understanding about how EPA will apply its guidance.
2. The RML level for lead is 400ppm; and EPA will apply its Lead Handbook guidance to evaluate the opportunity to undertake removal actions at properties that meet the “Tier 1” criteria: levels of lead exceeding 1,200 ppm with sensitive populations (i.e., where homes include children under 7 years old or pregnant women), applying the removal program data that has been collected in the area around SH Bell.
 - a. We have tried to state this clearly in the community fact sheet, which states that a lead level exceeding 400 ppm does not necessarily mean we will take an action.
 - b. We want to make sure this standard is clearly communicated, and invite input on specific places where EPA’s communication materials can be clearer about the removal level for this investigation.
3. EPA will directly provide to this group its signed “decision document” regarding the remediation of properties in the residential area surrounding SH Bell as soon as possible after the document is signed.

On item #5, for Watco:

1. EPA will undertake a soil investigation on residential properties to the south and southeast of the Watco facility.
2. EPA will prioritize soil investigation at the baseball field which is used for children’s little league games; and will communicate sampling results when they are available.

Director, Multimedia Programs Office
U.S. EPA, Region 5
Phone: (312) 353-8894

From: Thiede, Kurt
Sent: Monday, April 29, 2019 4:49 PM
To: Walts, Alan <walts.alan@epa.gov>
Cc: Girard, Alexander <girard.alexander@epa.gov>; Nam, Ed <nam.ed@epa.gov>
Subject: Fwd: Recap Meeting with Regional Administrator Stepp and Southeast Side Community Representatives

Alan,

Can you please coordinate a review of this meeting summary with our team to make sure the summary is accurate and reflects our understanding and commitments?

Thanks,
Kurt

Sent from my iPad

Begin forwarded message:

From: Deborah Gail Musiker <Debbie.M.Chizewer@law.northwestern.edu>
Date: April 29, 2019 at 4:09:59 PM CDT
To: "Walts, Alan" <walts.alan@epa.gov>, "Thiede, Kurt" <thiede.kurt@epa.gov>
Cc: "Geertsma, Meleah" <mgeertsma@nrdc.org>, "Harley, Keith" (<kharley@kentlaw.iit.edu>)"
<kharley@kentlaw.iit.edu>
Subject: Recap Meeting with Regional Administrator Stepp and Southeast Side Community Representatives

Dear Regional Administrator Stepp,

Thank you for making the time to meet with us on April 16, 2019. We appreciated the opportunity to share the public health and environmental concerns facing the Southeast Side of Chicago.

We are grateful for your attention to addressing these pressing environmental justice issues and keeping an ongoing dialogue. Please see below our understanding of the commitments made and next steps:

1. Continued Engagement:

- a. Regional Administrator Stepp and her team will come for a Southeast Side tour.
- b. Regional Administrator Stepp and her team will meet with the group of community leaders and advocates on a quarterly basis, beginning with a meeting to be held on the Southeast Side in conjunction with the tour.
- c. Community leaders would like to include the Chicago Department of Public Health in at least one meeting.

2. Schroud Site Signage and Fencing:

- a. Community leaders will provide EPA Region 5 with preferences for signage design and EPA will implement these proposals to the maximum extent possible.
- b. Community leaders will make recommendations for appropriate fencing locations to deter use of the extremely dangerous Schroud site.

3. Supplemental Environmental Projects for the SE Side:

Alan Walz will facilitate meetings with community leaders and local facilities under enforcement actions to further supplemental environmental projects that originate in and receive approval from the community, and are primarily facilitated by community members, and reflect the connection between industrial pollution in the community and the public health and environmental impacts in the community.

4. Air Monitoring and Other Data:

- a. EPA Region 5 will promote the public accessibility of air monitoring data in the community by coordinating with local and state agencies to share and post data.
- b. EPA Region 5 will work with state and local partners to understand cumulative impacts in the community.
- c. EPA will make accessible all air monitoring data for facilities within Region 5.

5. Manganese/Lead in Soil Investigation and Remediation:

- a. SH Bell:
 - i. EPA will evaluate the opportunity to undertake removal actions at properties with levels of manganese that exceed 1,600 ppm, including, for example, expediting remediation where homes include children under 7 years old, pregnant women, other health-compromised individuals, or homes where visiting children spent a significant number of hours in the home (even if they do not live there).
 - ii. EPA will respond to our questions regarding the standard it will apply as action levels for the removal of lead in soil in the residential area surrounding the SH Bell facility. We specifically discussed that EPA's materials reference 400 ppm as the appropriate removal level for this investigation. It will also look for opportunities to address contamination at properties with lead levels exceeding 400 ppm.
 - iii. EPA will alert this group when it releases its "decision document" regarding the remediation of properties in the residential area surrounding SH Bell
- b. Watco:
 - i. EPA has committed to immediately undertaking soil investigation in the area surrounding the Watco facility.
 - ii. EPA will prioritize soil investigation at the baseball field which is used for children's little league games.
 - iii. We also request that EPA alert the community to the possibility of contaminated soil at the baseball field as soon as possible.

We look forward to hearing from you soon and continuing our dialogue.

Best,

Southeast Environmental Task Force: Peggy Salazar; Yessenia Balcazar; Keith Harley (attorney); Daryl Grable (attorney)

Southeast Side Coalition to Ban Petcoke; Martha Allen; Kelly Nichols; Debbie Chizewer
(attorney)

Natural Resources Defense Council: Meleah Geertsma